

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF DELAWARE

IN THE MATTER OF THE APPLICATION OF)
DELMARVA POWER & LIGHT COMPANY FOR AN)
INCREASE IN ELECTRIC BASE RATES AND) PSC Docket No. 17-0977
MISCELLANEOUS TARIFF CHANGES)
(FILED AUGUST 17, 2017))

ORDER NO. 9108

AND NOW, this 22nd day of August, 2017:

WHEREAS, on August 17, 2017, Delmarva Power & Light Company ("Delmarva" or the "Company") filed with the Delaware Public Service Commission (the "Commission") an application (the "Application") seeking approval of: (a) an increase in its electric base rates; and (b) miscellaneous tariff changes; and

WHEREAS, in its Application, Delmarva represents that it is seeking an increase in annual operating revenues of \$24,425,436, or 4.5% over present existing rates;¹ and

WHEREAS, the Commission having determined that, pursuant to the authority granted to it by 26 Del. C. §306(a) (1), Delmarva's Application shall be suspended pending the completion of evidentiary hearings into the justness and reasonableness of the proposed new rates and tariffs and a final decision of the Commission; and

WHEREAS, the Company has requested the Commission to enter an order pursuant to 26 Del. C. §306(c) permitting interim rates intended

¹ "Present existing rates" includes total booked revenues for the Company, including revenues for energy costs supplied by third parties. Delmarva's distribution revenues for the twelve month period ending May 31, 2017 are approximately 45% of total booked revenues or \$241,401,091. The Application requests a 10.1% increase in Delmarva's distribution revenues. See Sch. D, page 1 of 2 of the Minimum Filing Requirements, of the Application.

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to produce an annual increase in intrastate operating revenues of \$2.5 million to be placed into effect on or after October 16, 2017, subject to refund, in the event the Commission suspends the proposed rate increase; and

WHEREAS, the Company requests the Commission waive the requirements of 26 Del. C. §306(b) requiring that a bond with surety be filed in connection with the implementation of interim rates and further commits based on its long-standing history within the State to abide with any Commission refund order; and

WHEREAS, Staff and other parties have not had sufficient time to ensure the Company's application meets the minimum filing requirements of 26 Del. Admin. C. §1002; therefore, Staff requests the Commission authorize additional time for review and for the Company to remedy any filing deficiencies by September 18, 2017; and

WHEREAS, the Company requests a waiver of Part II, Paragraphs 2.2.1, Part V, Paragraph 5.3.8, and Part V, Paragraph 5.3.14 of the Commission's Minimum Filing Requirements because the information has either already been provided or is not relevant to this Application;

**NOW, THEREFORE, IT IS HEREBY ORDERED BY THE AFFIRMATIVE
VOTE OF NOT FEWER THAN THREE COMMISSIONERS:**

1. That the rates and revised tariff sheets filed by Delmarva on August 17, 2017 are hereby suspended pursuant to 26 Del. C. §306(a) (1) and, subject to the implementation of interim rates as authorized herein, shall not be placed into force or effect except pursuant to law or further Order of the Commission, and then only to the extent such law or further Commission Order may permit or allow.

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2. That any proposed non-rate modifications to its tariffs are suspended until such time as a final Order in this proceeding is issued.

3. That Delmarva's request to implement interim rates effective October 16, 2017 intended to produce an annual increase of \$2.5 million in intrastate operating revenues is granted with proration and subject to refund.

4. That Delmarva's request to consider and approve the Company's current financial condition and credit worthiness as a satisfactory substitute and sufficient surety to meet the bond requirements of 26 Del. C. §306(b) with respect to the interim rates is granted, conditioned on Delmarva's representation that it will abide by any Commission refund order.

5. That Staff's request for additional time to review the Application for compliance with the minimum filing requirements is granted. Staff shall notify the Company of any filing deficiencies by no later than September 1, 2017 and the Company shall have until September 18, 2017 to remedy any filing deficiencies.

6. That Delmarva's request to waive Part II, Paragraph 2.2.1, Part V, Paragraph 5.3.8 and Part V, Paragraph 5.3.14 of the Minimum Filing Requirements is granted.

7. That Delmarva shall give public notice of the filing of this application with the proposed rate changes and this action by the Commission, by publishing notice in the form attached hereto as Exhibit "A" in two-column format, outlined in black, in the legal

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classified section of The News Journal and The Delaware State News on September 7th and September 10th, 2017, and in the Cape Gazette newspaper on September 8, 2017 Delmarva shall submit proof of such publication as soon as possible, but no later than the commencement of the evidentiary hearings concerning this matter.

8. That Mark Lawrence is designated as Hearing Examiner for this matter pursuant to the terms of 26 *Del. C.* §502 and 29 *Del. C.* ch. 101 to schedule and conduct, upon due notice, such public comment sessions and evidentiary hearings, as may be necessary, to have a full and complete record concerning the justness and reasonableness of the proposed increased rates and tariff modifications. Thereafter, Hearing Examiner Lawrence shall file with the Commission his proposed findings and recommendations. Pursuant to Rule 21 of the Commission's Rules of Practice and Procedure, Hearing Examiner Lawrence is specifically delegated the authority to grant or deny petitions seeking leave to intervene and for admission of counsel *pro hac vice*. In addition, Hearing Examiner Lawrence is delegated the authority, under 26 *Del. C.* §102(A), to determine the form and manner of any further public notice in this matter. James McC. Geddes is designated Rate Counsel for this matter

9. That the deadline for filing petitions to intervene pursuant to Rule 21 of the Commission's Rules of Practice and Procedure shall be September 29, 2017. Late-filed petitions to intervene will not be granted unless good cause is shown. Interveners must comply with the procedural schedule in place at the time

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intervention is granted, including deadlines established prior to the granting of intervener status.

10. Delmarva is hereby placed on notice that the costs of the proceedings will be charged to it under the provisions of 26 Del. C. §114(b) (1).

11. That the Commission reserves the jurisdiction and authority to enter such further Orders in this matter as may be deemed necessary or proper.

BY ORDER OF THE COMMISSION:

Chair

Commissioner

Commissioner

Commissioner

Commissioner

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ATTEST:

Secretary

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF DELAWARE

**PUBLIC NOTICE OF APPLICATION OF DELMARVA POWER & LIGHT COMPANY FOR AN
INCREASE IN ELECTRIC BASE RATES AND MISCELLANEOUS TARIFF CHARGES**

In its application, Delmarva seeks an increase in annual operating revenues of \$24,425,436 or 4.5% over present existing rates.²

² "Present existing rates" includes total booked revenues for the Company, including revenues for energy costs supplied by third parties. Delmarva's distribution revenues for the twelve month period ending May 31, 2017 are approximately 45% of total booked revenues or \$241,401,091. The Application requests a 10.1% increase in Delmarva's distribution revenues. See Sch. D, page 1 of 2 of the Minimum Filing Requirements, of the Application...

SGS-ND	\$489,020	%2.4
MGS-S	\$1,715,743	%2.4
GS-SH	\$21,650	%2.4
GS-WH	\$936	%2.4
ORL	\$1,104	%2.2
LGS-S	\$1,073,722	%4.6
GS-P	\$3,863,276	%13.6
GS-T	\$15,872	%4.3
OL	\$557,728	%4.1
Total	\$24,425,436	%4.5

On August 22nd, 2017, in Order No. 9108, pursuant to 26 Del C. §306(a)(1), the Commission suspended the effectiveness of the proposed new rates and tariff revisions pending further investigation, public comment sessions, and public evidentiary hearings, which will be held after further public notice. However, in Order No. 9108, pursuant to 26 Del C. §306(c), the Commission authorized Delmarva to place a portion of its proposed increases into effect, subject to refund, sixty (60) days after the initial August 17, 2017 filing date, or on October 16, 2017. The Commission also granted Delmarva's request to accept the Company's current financial condition and credit rating as sufficient surety with respect to the implementation of the interim rates.

The Commission will make its decision on this matter on the basis of the record evidence taken at the public evidentiary hearings. The Commission may approve or reject, in whole or in part, the proposed increase and tariff revisions and may approve

a different method for allocating any increase should one be found to be appropriate.

You are invited to review Delmarva's application and supporting documents to determine how your interest may be affected by going to DelaFile (<http://delafile.delaware.gov>), the Commission's docketing and file management system, and by searching for Docket No. 17-0977.

If you wish to formally participate as a party in this matter, with the right to present evidence and be represented by counsel, you must file with the Commission a petition asking for leave to intervene in accordance with the requirements of the Commission's Rules of Practice and Procedure (26 Del. Admin. C. §1001-2.9) **on or before September 29, 2017**. All such petitions should be filed in DelaFile according to the Commission's Rules (26 Del. Admin. C. §1001-1.6.4). Petitions filed after the deadline of September 29, 2017, will not be considered except for good cause shown. Interveners must comply with the procedural schedule in place at the time intervention is granted, including deadlines established prior to the granting of intervener status.

If you would like to review documents at the Commission's offices, please contact Donna Nickerson at (302) 736-7500 or by sending an email addressed to donna.nickerson@state.de.us. You may also review copies of Delmarva's application and supporting

documents at the offices of the Division of the Public Advocate located at 820 North French Street, 4th Floor, Wilmington, Delaware 19801 or 29 South State Street, Dover, Delaware 19901. Please call either (302) 577-5077 or (302) 241-2555 to arrange for a time to review the documents at either of those locations.

If you wish to request copies of documents in this matter, please submit a Freedom of Information Act Request Form. The link to this form can be found on the Commission's website, <http://depssc.delaware.gov>, or by visiting this web address: <https://delafile.delaware.gov/Complaints/FOIA.aspx>. The Commission will respond to your request in accordance with the Delaware Freedom of Information Act, 29 Del. C. ch. 100.

If you have a disability and wish to participate or to review the materials in this matter, please contact the Commission to discuss any auxiliary aids or services you might need to help you. You may contact the Commission in person, by writing, by telephone (including text telephone), by Internet e-mail, or other means.

If you have questions about this matter, you may call the Commission at 1-800-282-8574 (toll-free in Delaware) or (302) 736-7500 (voice and text telephone). You may also send questions regarding this matter by Internet e-mail addressed to psc@state.de.us with "Docket No. 17-0977" in the subject line.